

U.S. Patent Application Serial No. **09/978,021**

Response dated August 11, 2003

Reply to OA of **May 21, 2003**

REMARKS

Claims 1-26 are pending in this application. Reconsideration of the rejections in view of these amendments and the following remarks is respectfully requested.

Claims 1 and 15 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated May 21, 2003.

Rejections under 35 USC §103(a)

Claims 1-26 were rejected under 35 U.S.C. §103(a) as being obvious over the admitted prior art of the instant disclosure (hereinafter APA) in view of Kuzell, and GB'384.

Applicants respectfully traverse this rejection.

As already pointed out in the previous response, the present specification makes it clear that, in APA, “efficiency of energy utilization for heat and power is not so high on the whole” and that “waste materials are mostly transported to other places for disposal, and effective utilization of waste materials is not considered.”

Kuzell discloses in the Drawing that calcium-aluminum-silicate slag is sent to a portland cement plant, and, at page 6, left column, lines 55-57, state that “The slag from the iron reduction furnace is a calcium alumino silicate and may be economically worked up into Portland cement.” Kuzell, however,

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does not discuss transporting to the cement plant “spent catalyst waste from the oil refining plant,” “drain sludge from a storage tank of the oil-refining plant,” “dust from the steelmaking plant” or “coal ash from the coal-fired power plant,” recited in claims 1 and 15.

The Examiner further alleged that GB'384 teaches that “it was well known expedient . . . to include units dealing with the treatment of waste materials within industrial plant complexes themselves . . . in particular sulfur containing waste gases” and that it is a well known expedient “to deliver products from an industrial plant to locations outside of the plant itself since this is the entire purpose of the plant (production and delivery of products to others). Such disclosure or allegation does not remedy the deficiencies of APA and Kuzell.

Therefore, APA, Kuzell and GB'384 do not teach or suggest, among other things, the particular step of “transporting to said cement plant at least two selected from the group consisting of spent catalyst waste from the oil refining plant, drain sludge from a storage tank of the oil-refining plant, slag from the steelmaking plant and dust from the steelmaking plant.”

The specific disposition of materials in the cement plant was not known until the present invention was made introducing a cement plant to the basic industrial plant complex.

At least for these reasons, claims 1 and 15 patentably distinguish over APA, Kuzell and GB'384. Claims 2-14, depending from claim 1, and claims 16-26, depending from claim 15, also patentably distinguish over the cited references for at least the same reasons.

Thus, the 35 U.S.C. §103(a) rejection should be withdrawn.

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In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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